

LAW OFFICES
GINSBURG, FELDMAN AND BRESS
CHARTERED
1250 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036
TELEPHONE (202) 637-9000

CORRESPONDENT OFFICE
9, RUE BOISSY D'ANGLAS
75008 PARIS, FRANCE

RECEIVED

MAR 20 1992

Federal Communications Commission
Office of the Secretary

TELECOPIER (202) 637-9195
TELEX 4938614

HENRY M. RIVERA
(202) 637-9012

March 20, 1992

EX PARTE OR LATE FILED

Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Ex Parte Notice RM 7872

Dear Ms. Searcy:

In accordance with Section 1.1200 et. seq. of the Commission's rules, this is to advise that on Friday, March 20, 1992, representatives of Suite 12 Group ("Suite 12") met with Bob Branson and Byron Marchant, of Commissioner Barrett's office; Jim Keegan, Frank Peace, Bob James and Susan Magnotti, of the Common Carrier Bureau's Domestic Facilities; Tom Stanley, David Sidall and Rodney Small, of the Office of Engineering and Technology; Commissioner Ervin Duggan, John Hellar, Linda Oliver and Michelle Farquhar (all of the Commissioner's staff); Cheryl Tritt, of Chairman Skikes' office; and John Williams and David Reed to discuss issues in this proceeding.

In addition to the individuals noted, also present at the meetings were Shant Hovnanian and Bernard Bossard of Suite 12, and Henry M. Rivera and Larry S. Solomon, of Ginsburg, Feldman and Bress, Chartered.

The discussions involved the Petition for Rulemaking filed in this proceeding by Suite 12, Oppositions to that Petition, status of the Hye Crest authorization and related issues, services Suite 12 is contemplating, costs and the effect on

No. of Copies rec'd 04
List A B C D E

Ms. Donna R. Searcy, Secretary
March 20, 1992
Page 2

RECEIVED

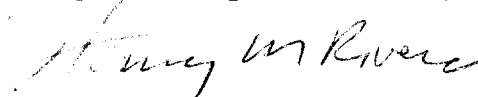
MAR 20 1992

Federal Communications Commission
Office of the Secretary

competition thereof, and pending waiver applications involving the 28 GHz band. The attachments to this Ex Parte Notice were used in that discussion.

A copy of this Ex Parte Notice was filed with the Commission and delivered to all of the individuals listed in paragraph one on March 20, 1991.

Respectfully submitted,


Henry M. Rivera

HMR:lmc

cc: Commissioner Ervin Duggan
Bob Branson
Byron Marchant
Jim Keegan
Frank Peace
Bob James
Susan Magnotti
Tom Stanley
David Sidall
Rodney Small
John Hellar
Linda Oliver
Michelle Farquhar
Cheryn Tritt
John Williams
David Reed

HYE CREST AUTHORIZATION

- Past -

- o In January, 1990, FCC granted Hye Crest's waiver request to provide 24 one-way video channels on a non-common carrier basis, in the 28 GHz band at Brighton Beach, New York. (Hye Crest is owned and operated by Suite 12 Group and makes use of Suite 12's patented technology.)**
- o The Hye Crest System is a prototype MLDS System and is only one aspect of the MLDS System which is subject of Suite 12's Rulemaking Petition**
- o FCC originally indicated that Hye Crest had to construct its system by January of 1992**
- o Major technical advances enabled Suite 12 to accommodate twice the number of video channels originally authorized with better quality and reliability.**
 - o To implement the expanded service, an extension of the construction period was requested and granted through July 3, 1992.**
 - o New transmitting equipment has been type accepted by the FCC.**
 - o Unopposed application for modification to utilize the new equipment is expected to be granted by the end of March.**

HYE CREST AUTHORIZATION

- Present -

- o Initial transmitter site has been constructed**
- o All equipment, except subscriber units, is in place**
- o Technical arrangements for video feeds have been established**
- o Marketing plans have been developed**
- o Administrative, ordering and billing arrangements have been finalized**
- o Equipment installation agreements, with one of the largest MMDS and cable equipment installers in U.S., have been finalized**
- o Programming has been acquired that is virtually identical with that offered on cable**

HYE CREST AUTHORIZATION

- Future -

- o Large volume orders for subscriber receivers should be placed by the end of March and initial deliveries should be made in mid-June, 1992**
- o Costs to consumers will be approximately 60% of what is charged by cable**
- o Commercial service is expected to commence in late June, 1992**

The Suite 12 Group

REASONS TO EXPEDITE RULEMAKING

- o Spectrum is currently fallow
- o Introduce competition in monopoly markets
- o MLDS offers a regulatory panacea -- utilizing the most advanced American technology -- to provide all services promised by fiber at prices substantially below current providers' prices
 - o MLDS will compete very effectively with cable by providing a low-cost alternative to traditional cable (approximately 40% less)
 - o Since MLDS can offer everything that fiber can, MLDS can provide competition to telco-provided video, voice, data and information services
 - ▶ Video Dial Tone service could be much more than has been proposed and can be implemented earlier
- o MLDS can provide additional or alternative spectrum for HDTV
- o MLDS can provide low-cost facilities for PCS without requiring any incumbents to vacate spectrum, and, thus, help to make PCS a reality sooner and at less cost
- o Interconnect nodes
- o Existing 18, 21, and 30 GHz point-to-point frequency bands can provide 29,072 links in one cell thereby negating the need for the 28 GHz spectrum
- o Enormous demand for MLDS waiver applications are evidence of demand for service
- o New services and service offerings will help to stimulate the economy
- o No reason to delay
- o Pleading cycle completed
 - o Virtually everyone supported
 - o Cable and telcos did not oppose
 - o Comments/oppositions filed are without merit
 - ▶ Harris/Faranon not really opposed, as suggests point-to-point operations can be provided on a shared basis
 - ▶ Video/Phone, after witnessing a Suite 12 demonstration, proposes a service using Suite 12 technology -- nothing new here
 - ▶ Wireless communications association filed self-serving opposition to protect MMDS community from MLDS competition -- no reason to delay

**MLDS^{1/} TECHNOLOGY CAN PROVIDE THE FOLLOWING SERVICES
SIMULTANEOUSLY IN EACH CELL**

- o Television program service at about sixty percent the rate of traditional cable service
- o MLDS can solve the major problem of PCN Systems by providing all the necessary transmission facilities
- o Local transactional services, such as travel, banking and local shopping
- o Educational services for the local schools and colleges
- o Medical services by allowing high resolution transmission of radiology and other material
- o Introduction of demographic programs on a cell-by-cell basis
- o Interactive games and contests
- o Early introduction of HDTV
- o Computer interface at high bit rates and low bit errors (one part in ten billion) without operation schemes
- o Compact Disc Quality radio and television programs
- o Video conferencing on home television using video camera as transmitting source
- o Any service requiring large bandwidth and high availability rates
- o 17 to 136 (GMSK) thousand simultaneous stereo quality telephone calls
- o Up to one gigabit of data, and 664 (64 QAM) to 2500 (GMSK) video conferences in a single cell

The Suite 12 Group

^{1/} "MLDS" or Multichannel Local Distribution Service" is the name suggested by Suite 12 for a new 27.5-29.5 GHz service.

CV

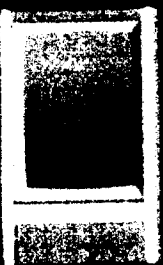
CELLULARVISION

WIRELESS INTEGRATED NETWORKS

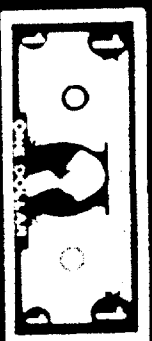
CELLULAR VISION technology offers consumers the ability to utilize the same spectrum for a number of simultaneous purposes including:

- *Cellular Television* for cable tv with studio quality picture, HDTV compatability, and interactive TV and multimedia compatability;
- *Telephone* - competetive service to local access carrier, Personal Communications Services (PCN), Video Teleconferencing;
- *Data* - high speed data transfer with capacities exceeding fiber optic networks, can accomodate one gigabyte per second per 1,000 Mhz without data compression and resultant bit error rates are lower than fiber optic cable;
- *Transactional Services* - computerized banking, billing inquiries, service networks.

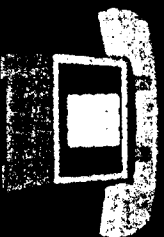
1,000 Or 2,000 MHz Bandwidth



CABLE TV



TRANSACTIONAL



TELEPHONE



DATA

CELLULARVISION offers the ability to provide all these services simultaneously. By using one network (with costs competitive with any one service) to provide all services, the resultant cost to consumers is far less than the cost of obtaining these services separately.

The Cellular Vision Advantage

Rate Comparison

Video

Cellular Vision

Voice

Video Voice

Data

Data

3 Services

3 Services

3 Systems

1 System

Higher Service Rates

Lower Service Rates



CELLULAR VISION technology offers consumers the ability to utilize the same spectrum for a number of simultaneous purposes including:

- *Cellular Television* for cable tv with studio quality picture, HDTV compatability, and interactive TV and multimedia compatability;
- *Telephone* - competitive service to local access carrier, Personal Communications Services (PCN), Video Teleconferencing;
- *Data* - high speed data transfer with capacities exceeding fiber optic networks, can accomodate one gigabyte per second per 1,000 Mhz without data compression and resultant bit error rates are lower than fiber optic cable;
- *Transactional Services* - computerized banking, billing inquiries, service networks.

Omni-Directional Cellular Transmission At 27.5-28.5 GHz

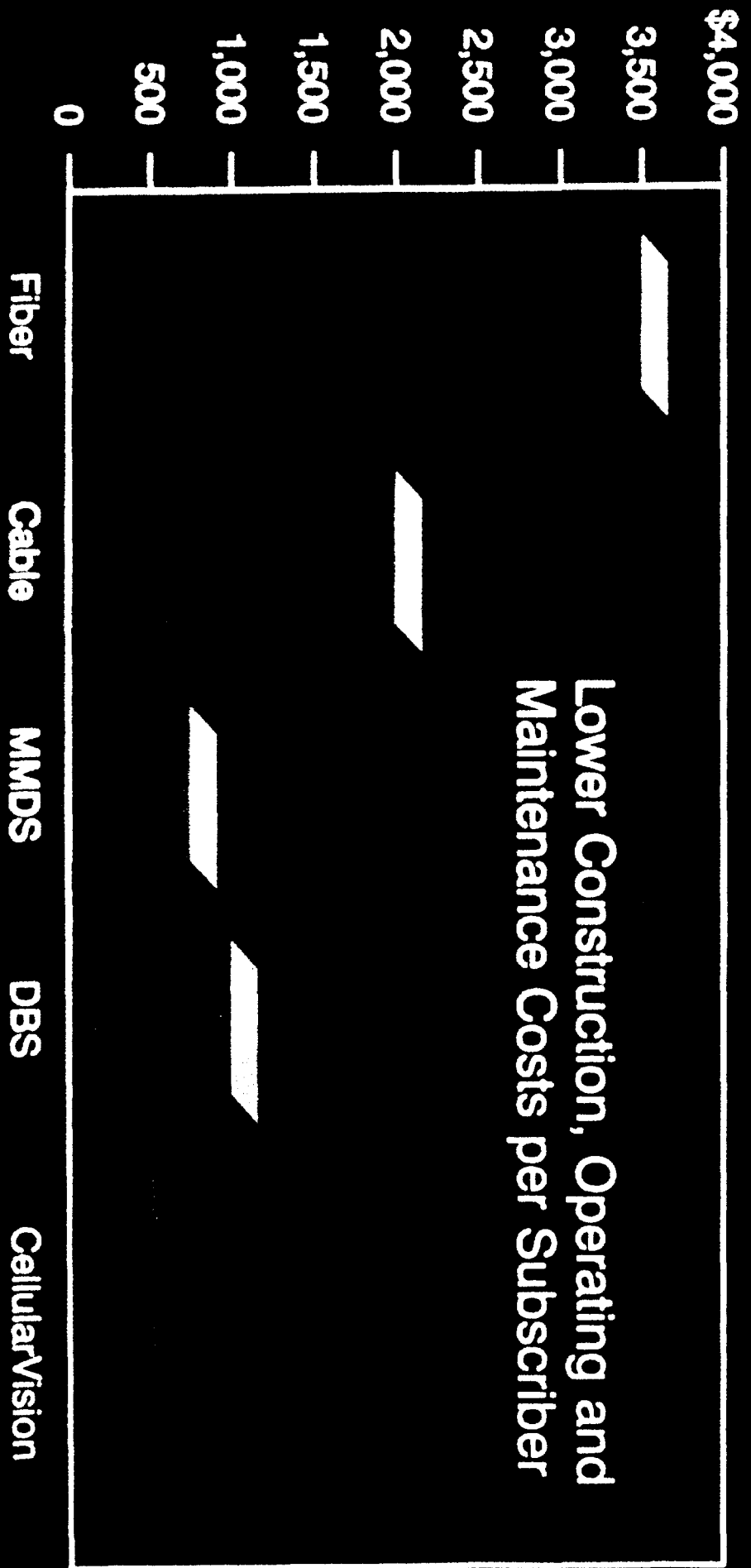
9 Miles



CELLULAR VISION operates in cells with the signal emanating in a 4.5 mile average radius from the transmitter (central node). Every receiver within the cell can also be a transmitter which can transmit back to the central node. This enables all interactive services. Each receiver is fully addressable. Therefore, each transceiver could also become the perfect low cost backbone for PCN systems.

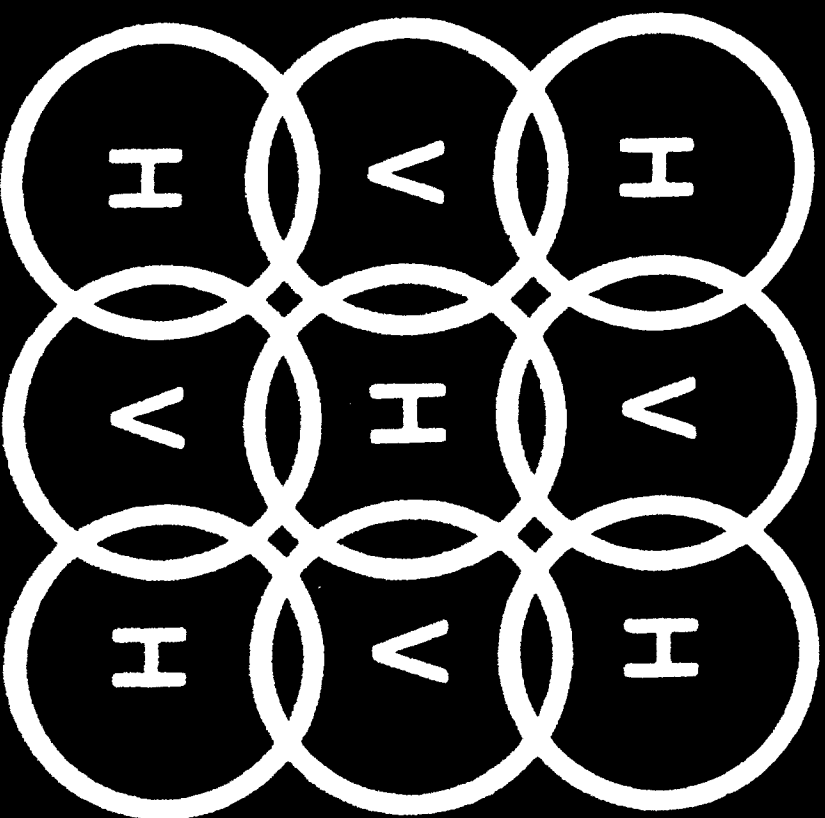
The Cellular Vision Advertising Program

Cost per Subscriber



When compared to other television delivery technologies, **CELLULARVISION** is far less expensive in its costs per subscriber. When you factor in the additional types of services provided, the cost is a small fraction of the cost of the only other system that could even approach these capabilities.

Studio Quality Reception



Frequency modulation

Alternating polarization

High antenna gains

Dormant spectrum

Co-existence capability

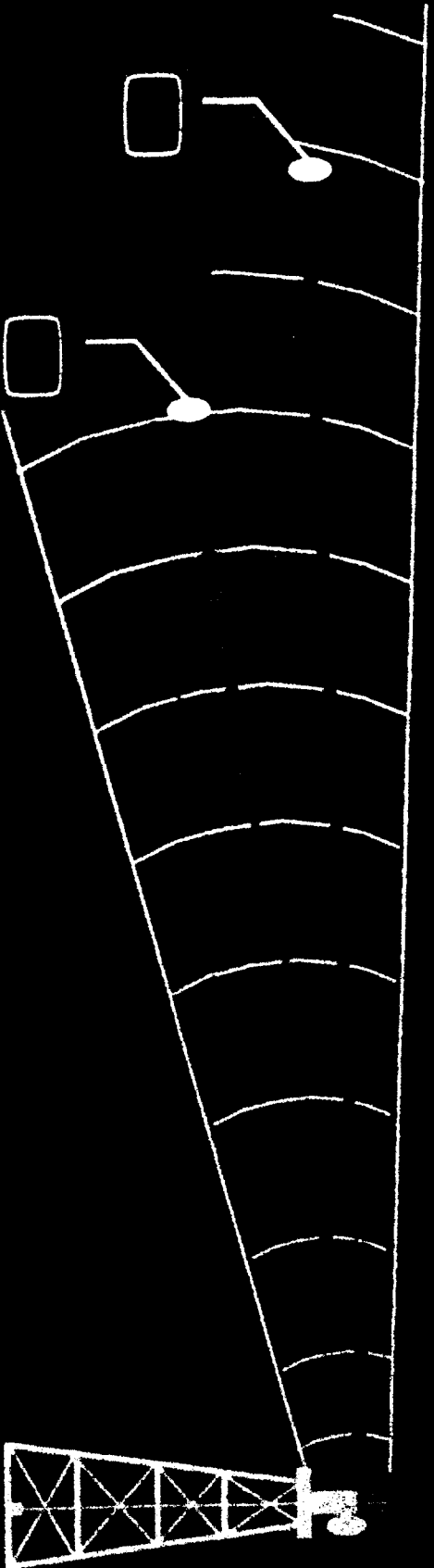


CELLULAR VISION offers the option of having multiple dwelling buildings serviced by one receiver and then internally wired, or a better option is to allow each unit to utilize its own receiver thereby eliminating all possible maintenance costs or other problems associated with centralized wiring. The low cost and small size of the receivers enables this to be a viable option.

Wireless

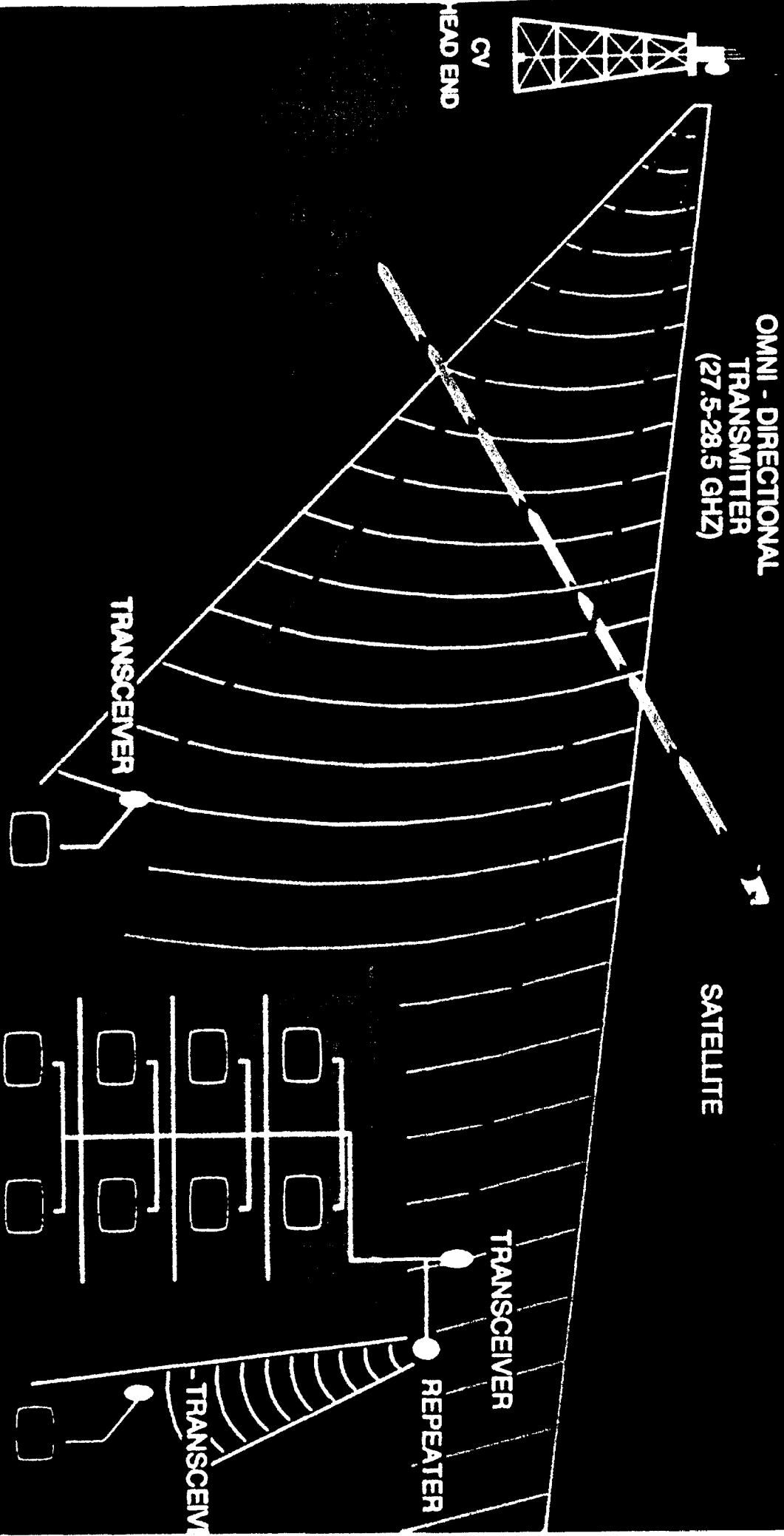


Interactive



The CellularVision system is a line of sight microwave system with omnidirectional transmitters, but directional receivers. The signal can be passively reflected to cover all shadow areas. Alternatively, the signal can be actively repeated ad infinitum with virtually no signal loss distortion.

A Typical Cell



A **CELLULARVISION** set top
receiver/tuner.

Cellular Vision Subscriber Site

27.5-28.5 GHz

840-1440 MHz

TRANSCIVER

SINGLE FAMILY HOME

CHANNEL
DECODER
AND TV SET

MULTIPLE DWELLING UNIT
(INTERNALLY CABLED)

TRANSCIVER



A **CELLULARVISION** set top receiver